

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SHAUN SMITH,

Plaintiff,

-against-

MUNICIPALITY OF THE CITY, et al.,

Defendants.

25-CV-2497 (JGK) (RFT)

**ORDER**

**ROBYN F. TARNOFSKY, United States Magistrate Judge:**

On March 21, 2025, Plaintiff Shaun Smith, who is currently detained at Rikers Island and proceeding pro se (without a lawyer), filed this action against Defendants City of New York (the “City”), the Warden and Deputy Warden of North Infirmity Command (“NIC”) (“NIC Defendants”), and certain unnamed corrections officers and certain unnamed detainees (“John and Jane Doe Defendants”). (See ECF 1.) On April 23, 2025, the Hon. John G. Koeltl dismissed, the John and Jane Doe Defendants sua sponte and without prejudice; ordered electronic service on the New York City Department of Correction (“DOC”) and the New York City Law Department (“Law Department”); and requested that the City and the Warden Defendants waive service. (See ECF 9, Order of Service.)

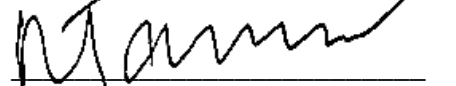
On May 20, 2025, Plaintiff filed an amended complaint (ECF 12), naming Defendants NYC DOC Commissioner Lynelle Maginley, NIC Warden Matos, and NIC Deputy Warden Christa Black; and Corrections Officer Williams and two other corrections officers (the “Unnamed Defendants”). On May 28, 2025, Judge Koeltl issued a *Valentin* Order (ECF 14) requiring the Law Department to “ascertain the identity of that unidentified defendant whom [Plaintiff] seeks to sue in this case and the address where that defendant may be served” within 60 days

(see ECF 14, *Valentin* Order at 2-3); ordering electronic service on the DOC and the Law Department (see *id.* at 3); and requesting the City, Maginley, Matos, Black, and Williams to waive service (see *id.* at 3-4).<sup>1</sup> On June 4, 2025, Plaintiff submitted a corrected amended complaint (the “AC”) (see ECF 17, AC), nearly identical to his amended complaint of May 20 (see ECF 20, Order at 1). The AC is the operative complaint. (See *id.*) On June 7, 2025 (ECF 21), Judge Koeltl referred this action to me for general pretrial supervision.

Matos and Black waived service on June 18, 2025 (see ECF 22, 23), and the City waived service on June 27, 2025 (see ECF 25). The Law Department shall file a letter, by **July 21, 2025**, indicating whether it intends to represent Defendants Maginley and Williams; and if so, whether Maginley and Williams will waive service.

Dated: July 10, 2025  
New York, NY

SO ORDERED.



**ROBYN F. TARNOFSKY**

United States Magistrate Judge

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<sup>1</sup> Additionally, Judge Koeltl ordered that, within 120 days of the service of the complaint, Defendants must comply with Local Civil Rule 33.2, which applies to this action. (See ECF 14, at 4, 5); see also Local Civil Rule 33.2, Standard Discovery in Prisoner Pro Se Actions.